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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,064	11/19/2003	Douglas D. Coolbaugh	BUR920020119US1	1063
23389	7590	02/16/2006	EXAMINER	
SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530				SANDVIK, BENJAMIN P
		ART UNIT		PAPER NUMBER
		2826		

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

EV

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/707,064	COOLBAUGH ET AL.	
	Examiner Ben P. Sandvik	Art Unit 2826	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 08 December 2005.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-17 is/are pending in the application.

4a) Of the above claim(s) 10-17 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-9 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Saia et al (U.S. Patent #5874770).

With respect to **claim 1**, Saia teaches a dielectric material (Fig. 12, 42) having metal inductor wires of a first thickness (Fig. 9, 33) and a metal bond pad having a major area of a second thickness both are located on a surface thereof (Fig. 12, 46), wherein said first thickness is greater than said second thickness and said dielectric materials represents a final interconnect level of an interconnect structure.

With respect to **claims 2 and 3**, Saia teaches metal inductor wires and metal bond pads that are composed of copper (Col 5 Ln 26-28).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saia, in view of Wong (U.S. Patent #6027999).

With respect to **claim 4**, Saia does not teach that the metal inductor wires and the metal bond pad are both composed of Al. Wong teaches wires and bond pad composed of aluminum (Col 2 Ln 66 and Col 3 Ln 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the bond pad and wires of Saia from aluminum as taught by Wong in order to use the desirable conductive properties of aluminum.

With respect to **claims 7 and 8**, Saia does not teach that the dielectric layer is an insulator having a dielectric constant less than 4.0 or an insulator having a dielectric constant of about 4.0 or greater, or that the dielectric material is selected from oxides, nitrides, oxynitrides, polyimides, polymines and Si-containing polymers. Wong teaches dielectric material comprised of TEOS (Col 3 Ln 7), an oxide. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the dielectric layer of Saia out of TEOS as taught by Wong in order to use the desirable insulative properties of TEOS.

Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saia, in view of Tsai et al (U.S. PG Pub #20030076209).

With respect to **claim 5**, Saia does not teach that the first thickness is from about 2000 to about 5000 nm. Tsai teaches inductor wires that are 2 micrometers (Paragraph 27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the first thickness of Saia to be from about 2000 to about 5000 nm as taught by Tsai in order to create a relatively small device.

With respect to **claim 9**, Saia does not teach a passivation layer located on exposed walls of said metal wire inductor and portions of said metal bond pad. Tsai teaches inductor wires and bond pad being in contact with a passivation layer (Fig. 5, 32). It would have been obvious to one of ordinary skill in the art at the time the invention was made provide a passivation layer on the inductor and bond pad of Saia based on the teachings of Tsai in order to prevent the corrosion of the metal.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saia, in view of Wang et al (U.S. Patent 6903644).

With respect to **claim 6**, Saia does not teach that the second thickness is from about 500 to 1500 nm. Wang teaches a metal bond pad (Fig. 6, 510) with a thickness of 12,000 angstroms (Col 7 Ln 34-36). It would have been obvious to

one of ordinary skill in the art at the time the invention was made to make the second thickness of Saia to be from about 500 to 1500 nm as taught by Wang in order to create a relatively small device.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

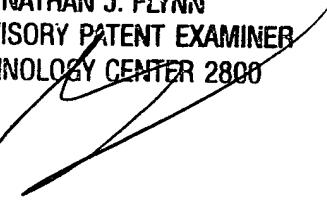
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ben P. Sandvik whose telephone number is (571) 272-8446. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NATHAN J. FLYNN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800



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